

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

Patricia A. Frattini, being duly sworn, deposes and says:

1. I am employed by the firm of McDERMOTT & RADZIK, LLP, attorneys for the Plaintiff. I am not a party to this action, am over 18 years of age.
2. On March 14, 2008, 2007, I served the annexed **Answer of Defendant, Sterling Equipment, Inc.** upon the following:

John P. James, Esq.
Friedman & James, LLP
Attorneys for Plaintiff
132 Nassau Street – Suite 900
New York, NY 10038

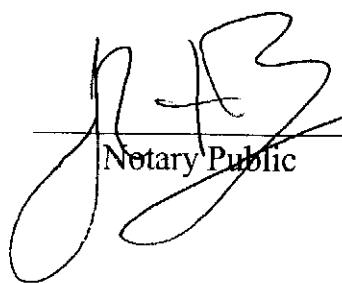
Kenneth M. Simon, Esq.
Flicker, Garellick & Associates, LLP
Attorneys for Defendant Modern Continental, Inc.
45 Broadway
New York, NY 10006

at the addresses designated by said attorneys for that purpose, by depositing true copies of same enclosed in postpaid, properly addressed wrappers in an official depository under the

exclusive care and custody of the United States Postal Services within the State of New York.

Patricia A. Frattini
Patricia A. Frattini

Sworn to before me this
14th day of March, 2008


Notary Public

JOHN F. RYAN
Notary Public, State of New York
No. 02516058958
Qualified in Kings County
Certificate Filed in New York County
Commission Expires March 12, 2011